

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

PABLO RIVERA,

Petitioner,

vs

9:03-CV-1058

SUPERINTENDENT, Wyoming Correctional Facility,

Respondent.

APPEARANCES:

OF COUNSEL:

PABLO RIVERA
Plaintiff, Pro Se
99-B-0766
Cayuga Correctional Facility
Box 1150
Moravia, NY 13118

HON. ELIOT SPITZER
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SENTA B. SIUDA, ESQ.
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HON. DAVID N. HURD
United States District Judge

DECISION and ORDER

Petitioner, Pablo Rivera, brought this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254, seeking federal habeas relief. By Report-Recommendation dated May 30, 2006, the Honorable David E. Peebles, United States Magistrate Judge, recommended that the petition in this matter be denied and dismissed in all respects. There have been no objections to the Report-Recommendation.

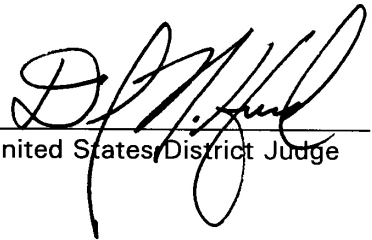
Accordingly, it is

ORDERED that the petition for a writ of habeas corpus is DENIED and
DISMISSED in all respects.

The Clerk is directed to enter judgment accordingly.

IT IS SO ORDERED.

Dated: October 12, 2006
Utica, New York.


United States District Judge